

ADDENDUM 001
Request For Proposal
Real Estate Services by District
RFP 6-111021FR

Offerors should acknowledge receipt of Addendum 001 (ONE) by signing and including it with the original proposal. The due date for receipt of proposals remains unchanged by this Addendum. Accordingly, **the attached “Question and Answer Addendum” is believed to be of general interest to all potential Offerors.** All other terms and conditions remain unchanged and in full force.

OFFEROR'S FIRM NAME: _____ _____ Name and Title of Signer (Print or type)	Name and Title of Department Authority: Frankie J. Ryan, MPA, CPPO, CPPB Senior Procurement Agent Procurement and Inventory Management General Services Missouri Department of Transportation
_____ (Signature of person authorized to sign)	 (Authorizing Signature)
Date Signed:	Issue Date: October 13, 2011

QUESTION AND ANSWER ADDENDUM

QUESTION: We would like an understanding of the potential listings in the St. Louis district. We have reviewed your website and see 9 listings not currently under contract. Will these be the listings we are competing for or do you anticipate more?

Answer: The properties listed for sale on the MoDOT web site provide a sampling of the types of properties that could be listed with a successful Offeror. However, this list is not all inclusive and there may be additional property listings in the future. Such property listings may either be handled in-house by MoDOT personnel or MoDOT may issue a listing agreement with a successful Offeror.

QUESTION: Sec. 2 (B): Is a fee structure in place for consulting services?

Answer: No, the respondent is to provide a fee structure for the described work.

QUESTION: Sec. 2 (B) (b): Must broker provide appraisal at own expense or will a BOV (Broker Opinion of Value) be acceptable?

Answer: The BOV is acceptable at the Brokers own expense.

QUESTION: Exclusive Right to Sell Agreement: Provision is made for marketing expenses paid by owner. Must broker refund expenses at closing?

Answer: Marketing expenses paid by the owner apply if there is a unique marketing tool requested and pre-approved by the owner. The Broker is not reimbursed for the traditional marketing tools unless the listing agreement is terminated by the owner. In accordance to the listing agreement, "The Broker shall be paid only upon an agreement being ultimately consummated between the Owner and Purchaser."

QUESTION: Exhibit 4, 2, Designations held by the Realtor: Do all members of the company who have designations count, or only the designations of member(s) on this assignment?

Answer: Only the members on this assignment.

QUESTION: Section 1. (D - E): It is my understanding these contracts may be renewed prior to the end date of the contract period of June 30, 2013.

1. When or if MHTC would elect to renew with the existing contract, what would be the period of time prior to expiration that contractor would receive notice? **Answer:** Thirty to Sixty Days.
2. Does Contractor need to apply for a renewal prior to the expiration period? **Answer:** No.
3. Is the current Contractor applying for a renewal or extension to June 2013? **Answer:** No.

QUESTION: Section 2.(A-1 and 2), (1) does not specify the 'type of property(ies).

1. Are consulting services separate from marketing services? **Answer:** Yes.
2. Consulting services would be separate and therefore charged separate fee from Marketing and brokering property. Are the 2 to be separated? **Answer:** Yes.

QUESTION: Section 2: (B)

1. Who pays for the b) appraisal and c) the survey? **Answer:** The Owner if the services are pre-approved.
2. Who Pays for Consulting services? **Answer:** The Owner if the services are pre-approved.
3. Does the current contract provide Consulting services as a separate fee or is it included in commission fees? **Answer:** Separate.
4. Progress Report-what would the monthly report include? **Answer:** The respondent is to provide an example. We do not want to prescribe a recipe.
5. What is anticipated? **Answer:** A progress report of current activity and strategies to close on the sale.
6. As a complete report to MHTC? **Answer:** All reports are to be submitted to the Commission Representative identified in the RFP.

QUESTION: Section 3: (C)

1. If the Offeror has included other experts as part of their 'team' working together as one with the Offeror, (subcontractor type basis) would they be included as 'one' with the Offeror. **Answer:** Yes, as a Joint Venture.
2. And have access to all data and Information, (for example, appraiser, engineer,)? **Answer:** Presumably so if they are an active Joint Venture.

QUESTION: (G) 2. Offeror would reach out to include other WBE/MBE businesses as Subcontractors to assist in the scope of work. Would this be acceptable per (C) above under "assignment"?

Answer: As a Team or Joint Venture, Yes.

QUESTION: (G) 3. Does MHTC have specific forms for 'subcontractors' that Offeror would use with subcontractors?

Answer: No.

QUESTION: (O). What constitutes 'material breach'? Time for Offeror to Correct 'breach'?

Answer: Defining what constitutes "material breach" depends on the specific situation and the performance requirements outlined in the RFP and subsequent agreement. Generally speaking, a material breach is determined on a case-by-case basis.

QUESTION: (U. 1 – 2) Does the Offeror own the submitted information as submitted to the State?

Answer: Please refer to Section 3, paragraph Q "Ownership of Reports". All such information produced by the Offeror for the MHTC remains the property of the MHTC.

QUESTION: Section 4: A(6): Are all applicants interviewed? Just the finalists? Or, each on an individual basis?

Answer: Interviews may be conducted by the MHTC, but they are not required to be conducted. As stated in the RFP, "...interview or oral presentation may be conducted, if deemed necessary to clarify or verify the Offeror(s)' submitted documentation...".

QUESTION: Section 4, B., 3: Would the Offeror present the qualifications of the individual Subcontracts enmasse with this proposal or on an individual basis after the contract awarded since currently there is NO SPECIFIC PROPERTY OR PROJECT presented with this RFP proposal?

Answer:

1. List your firm's known personnel with their detailed experience history.
2. For subconsultants you know you will use, provide this information as part of your proposal.
3. Include subconsultants that can document past experience your firm has with providing the services requested in the RFP, even if you do not intend to use their services as part of this RFP.
4. Information from #s 1, 2 and 3 will be used to evaluate your firm's experience in providing the services requested in the RFP. MoDOT understands that additional subconsultants may be used in future listings – with the approval of MoDOT to use such subconsultants as part of a property listing.

QUESTION: Are the forms (beginning w/ Exhibit 1 thru Exhibit 4) considered as part of the 20 pages allowed for submission – or would they be excluded and be in addition to the 20 pages?

Answer: These pages are excluded from the 20 page count.

QUESTION: How do I request a copy of the current contractor agreement with MHTC and the previous RFP with the submitted application of the current contractor; or the website and reference information where this may be found.

Answer: Please click on the below link to access the MoDOT Open Records Policy form and instructions. This request is to be submitted to MoDOT as outlined on this web page.

<http://www.modot.mo.gov/about/OpenRecords.htm>

QUESTION: Is the current Contractor operating on a fee based or commission agreement? Or, is the current Contractor operating on a combination fee/ commission agreement?

Answer: Combination fee/commission agreement.

QUESTION: Does MHTC counter offer? Sell for appraisal value? Offer site inspections and due diligence period?

Answer: The successful Respondent will make recommendations to the Owner as to a counter offer. Property to sell for approximate fair market value. The successful Respondent will offer site inspections to the property. The successful Respondent will evaluate the due diligence period and offer recommendations to the Owner.

QUESTION: Exhibit 4, page 1, #2 -- Designations: May the Offeror include the expertise and professional designations of those specialists or subcontractors used in the "Scope of Work"?

Answer: Yes, If they are part of the Joint Venture and members of this assignment.

QUESTION: Exhibit 4, items #3 and 4: There are no subject properties submitted with the RFP. Presume that we disregard these questions, as well as others that pertain to a 'specific Property' that is NOT NAMED OR IDENTIFIED IN THIS RFP? Please advise.

Answer: Exhibit 4 is used to select the firm for marketing specific property, not for selecting the successful candidates to the RFP.

QUESTION: Information in the RFP appears to be conflicting regarding contract payment for marketing costs (including signs). What reimbursement, if any, will be made for marketing costs?

Answer: Marketing expenses paid by the Owner apply if there is a unique marketing tool requested and pre-approved by the Owner. The Broker is not reimbursed for the traditional marking tools unless the listing agreement is terminated by the Owner. In accordance to the listing agreement, "The Broker shall be paid only upon an agreement being ultimately consummated between the Owner and Purchaser."

QUESTION: If survey plats are not supplied, is the cost reimbursable?

Answer: Yes, if pre-approved by the Owner.

QUESTION: Does MoDOT pick the title company, or can the vendor?

Answer: The Vendor can choose the title company.

QUESTION: Appraisals are required and when they are not supplied by MoDOT is the cost reimbursable?

Answer: Yes, if pre-approved by the Owner.

~ End Addendum 001 ~